



533 Rec'd PCT/PTO 07 SEP 2001

FORM PTO-1390
(REV 12-29-99)

27123

PATENT TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371ATTORNEY DOCKET NUMBER
5000-4943

U.S. APPLICATION NO. (If known, see 37 CFR 1.51)

TBA 09/926144

INTERNATIONAL APPLICATION
PCT/JP00/08761INTERNATIONAL FILING DATE
11 DECEMBER 2000 (11.12.00)PRIORITY DATE CLAIMED
17 DECEMBER 1999 (17.12.99)

TITLE OF INVENTION

COMPRESSOR AND METHOD OF LUBRICATING THE COMPRESSOR

APPLICANT(S) FOR DO/EO/US

Kazuo MURAKAMI, Yoshiyuki NAKANE, Tatsuya KOIDE and
Kenichi MORITA

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This express request to begin national examination procedures (35 U.S.C. 371(f) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371 (b) and PCT Articles 22 and 39 (1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International application into English (35 U.S.C. 371(c)(2)) together with an *Verification of Translation*.
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (Duly Executed Combined Declaration and Power of Attorney)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included.

11. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98 together with a copy of the International Search Report and copies of the cited references.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☒ A substitute specification. English Translation.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or Information:
Copy of the PCT EASY Version 2.91 in Japanese Language Format as filed December 11, 2000;
Copy of the Application-As-Filed in Japanese;
Copy of the front page of the WIPO publication No. WO 01/44661 A1;
Copy of the International Search Report;

EXPRESS MAIL MAILING LABEL NUMBER EF098974940US

Scanning

The PTO did not receive the following

listed item(s) Substitute Specification

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.51) TBA 09/926144		INTERNATIONAL APPLICATION NO. PCT/JP00/08761		ATTORNEY'S DOCKET NO. 5000-4943	
---	--	--	--	---	--

<p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2) paid to USPTO and International Search Report not prepared by the EPO or JPO....\$ 1,000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO..\$ 860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2) paid to USPTO....\$ 710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33 (1) - (4).....\$ 690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1) - (4).....\$ 100.00</p> <p style="text-align: center;">ENTER APPROPRIATE BASIC FEE AMOUNT =</p>				CALCULATIONS PTO USE ONLY																																																																													
<p>Surcharge of \$130 for furnishing the oath or declaration later than <input checked="" type="checkbox"/>20 <input type="checkbox"/>30 months from the earliest claimed priority date (37 CFR 1.492(e)).</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">CLAIMS</th> <th style="width: 20%;">NUMBER FILED</th> <th style="width: 20%;">NUMBER EXTRA</th> <th style="width: 20%;">RATE</th> <th style="width: 20%;"></th> <th style="width: 20%;"></th> </tr> </thead> <tbody> <tr> <td>Total claims</td> <td>7- 20 =</td> <td>0</td> <td>X \$18.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td>Independent claims</td> <td>2- 3 =</td> <td>0</td> <td>X \$78.00</td> <td>\$ 0.00</td> <td></td> </tr> <tr> <td colspan="3">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td>1 X \$260.00</td> <td>\$ 00.00</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;">TOTAL OF ABOVE CALCULATIONS =</td> <td>\$ 990.00</td> <td></td> </tr> <tr> <td colspan="4">Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;">SUBTOTAL =</td> <td>\$ 990.00</td> <td></td> </tr> <tr> <td colspan="4">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/>20 <input type="checkbox"/>30 months from the earliest claimed priority date (37 CFR 1.492(f)).</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;">TOTAL NATIONAL FEE =</td> <td>\$ 990.00</td> <td></td> </tr> <tr> <td colspan="4">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property</td> <td>\$</td> <td></td> </tr> <tr> <td colspan="4" style="text-align: center;">TOTAL FEES ENCLOSED</td> <td>\$ 990.00</td> <td></td> </tr> <tr> <td colspan="4"></td> <td style="text-align: center;">Amount to be refunded:</td> <td style="text-align: center;">\$</td> </tr> <tr> <td colspan="4"></td> <td style="text-align: center;">charged</td> <td style="text-align: center;">\$</td> </tr> </tbody></table>				CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE			Total claims	7- 20 =	0	X \$18.00	\$ 0.00		Independent claims	2- 3 =	0	X \$78.00	\$ 0.00		MULTIPLE DEPENDENT CLAIM(S) (if applicable)			1 X \$260.00	\$ 00.00		TOTAL OF ABOVE CALCULATIONS =				\$ 990.00		Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$		SUBTOTAL =				\$ 990.00		Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		TOTAL NATIONAL FEE =				\$ 990.00		Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$		TOTAL FEES ENCLOSED				\$ 990.00						Amount to be refunded:	\$					charged	\$
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE																																																																														
Total claims	7- 20 =	0	X \$18.00	\$ 0.00																																																																													
Independent claims	2- 3 =	0	X \$78.00	\$ 0.00																																																																													
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			1 X \$260.00	\$ 00.00																																																																													
TOTAL OF ABOVE CALCULATIONS =				\$ 990.00																																																																													
Reduction of 1/2 for filing by small entity, if applicable. A Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28).				\$																																																																													
SUBTOTAL =				\$ 990.00																																																																													
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$																																																																													
TOTAL NATIONAL FEE =				\$ 990.00																																																																													
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$																																																																													
TOTAL FEES ENCLOSED				\$ 990.00																																																																													
				Amount to be refunded:	\$																																																																												
				charged	\$																																																																												

a. ☒ One check in the amount of \$ 860.00 to cover the above fees are enclosed.

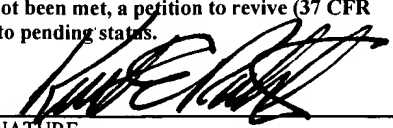
b. ☐ Please charge my Deposit Account No. 13-4500 in the amount of \$ _____ to cover the above fees.

c. ☒ The Commissioner is hereby authorized to charge any additional fees (the 130.00 surcharge for late oath or declaration) which may be required,
or credit any overpayment to Deposit Account No. 13-4500, Order No. 5000-4943 duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Steven F. Meyer
MORGAN & FINNEGAN, LLP
345 Park Avenue
New York, New York 10154-0053
Phone (212)758-4800 Facsimile (212)751-6849


 SIGNATURE
 Kurt E. Richter
 Registration Number 24,052
 August 17, 2001
 Date

09/926144
533R PCT/PTO 07 SEP 2001

The PTO did not receive the following
listed item(s)

No Postcard

PATENT

Docket No. 5000-4943

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

60 REC'D PCT/PTO 07 SEP 2001

Applicant(s) : Kazuo MURAKAMI, Yoshiuki NAKANE, Tatsuya KOIDE, and
Kenichi MORITA

International (PCT)
Application No. : PCT/JP00/08761

Filed : December 11, 2000

Title : COMPRESSOR AND METHOD FOR
LUBRICATING A COMPRESSOR

Priority Date : December 17, 1999

Attention: PCT Legal Staff, PCT Branch
7th Floor
Crystal Plaza 2
Commissioner for Patents
Washington, D.C. 20231

**HAND CARRY
TO PCT**

BY HAND

Sir:

I hereby certify that the following documents:

1. Petition for Revival of an International Application for Patent Designating the U.S. Abandoned Unintentionally Under 37 C.F.R. § 1.137(b) in duplicate;
2. Copy of the stamped Express Mail Label
3. This certificate of hand delivery, duly executed
4. "Received" Post Card for hand delivery

The English translation of the international application, consisting of:

5. 12 pages of specification
6. 1 page of Abstract
7. 2 pages of claims
8. 4 sheets of formal drawings (labeled)
9. Copy of the Application-As-Filed in Japanese
10. Check in the amount of \$860.00 for filing fee
11. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing Under 35 U.S.C. 371, duly executed, in duplicate
12. Verification of Translation, duly executed
13. Information Disclosure Statement together with Form PTO-1449 and copies of the cited references therein

Deposit Account No. **13-4500**, Order No. 5000-4943. A duplicate copy of this petition is enclosed. The proper reply, which is the U.S. National Phase Application, is also enclosed herewith.

Since the international application has an international filing date on or after June 8, 1995, no terminal disclaimer is required.

STATEMENT

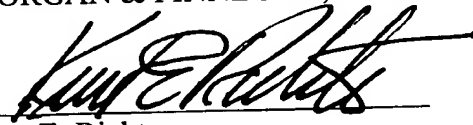
The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under § 37 C.F.R. 1.137(b) was unintentional. Briefly, the National Phase Application was deposited with the United States Post Office on August 17, 2001. A copy of the Express Mail Label with the date stamped thereon, is attached. However, due to clerical error, the Express Mail label was addressed incorrectly, with the addressee and sender information inadvertently reversed, resulting in the return of the envelope to Morgan & Finnegan, and the unintentional abandonment of the application. Applicant hereby respectfully petitions for revival of this application.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: September 7, 2001

By:


Kurt E. Richter
Registration No. 24,052

MORGAN & FINNEGAN, L.L.P.
345 Park Avenue
New York, NY 10154
(212) 758-4800
(212) 751-6849 (Facsimile)